

16426
1/16/05**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Christian BRONNER et al.

Title: ICBP90 POLYPEPTIDE AND ITS FRAGMENTS AND POLYNUCLEOTIDES
CODING FOR SAID POLYPEPTIDES AND APPLICATIONS FOR
DIAGNOSING AND TREATING CANCER

Appl. No.: 10/019,071

Filing Date: 5/15/2002

Examiner: Minh-Tam DAVIS

Art Unit: 1642

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

06/13/2005 HALI11 0000005 190741 10019071

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TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

FEE

A fee in connection with submission of a supplemental information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

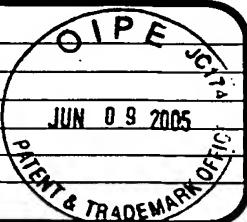
Date June 9, 2005 By *Stephen B. Maebius*

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Attorney for Applicant
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Sheet	1	of	5	Application Number	10/019,071
				Filing Date	5/15/2002
				First Named Inventor	BRONNER, Christian
				Group Art Unit	1642
				Examiner Name	Minh-Tam DAVIS
				Attorney Docket Number	JUN 09 2005 065691-0266

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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	B1	AUSTIN, C. A., et al., "Novel HeLa topoisomerase II is the IIβ isoform: complete coding sequence and homology with other type II topoisomerases", Biochimica et Biophysica Acta, vol. 1172, pp. 283-291 (1993)	
	B2	BANERJI, J., et al., "Expression of a β-Globin Gene Is Enhanced by Remote SV40 DNA Sequences", Cell, vol. 27, pp. 299-308 (Part 1) (1981).	
	B3	BARANY, F., "Genetic disease detection and DNA amplification using cloned thermostable ligase", Proc. Natl. Acad. Sci., vol. 88, pp. 189-193 (1991).	
	B4	BORITZKI, T. J., "Inhibition of Type II Topoisomerase By Fostriecin", Biochemical Pharmacology, vol. 37, no. 21, pp. 4063-4068 (1988).	
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	B6	BRANDT, T. L., et al., "c-Myb trans-Activates the Human DNA Topoisomerase IIα Gene Promoter", J. Biol. Chem., vol. 272, no. 10, pp. 6278-6284 (1997).	
	B7	BROU, C., et al., "Distinct TFIID complexes mediate the effect of different transcriptional activators", EMBO Journal, vol. 12, no. 2, pp. 489-499 (1993).	
	B8	BUCKHOLZ, R. G., "Yeast systems for the expression of heterologous gene products", Current Opinion in Biotechnology, vol. 4, pp. 538-542 (1993).	
	B9	BURG, J. L., et al., "Single molecule detection of RNA reporter probes by amplification with Qβ replicase", Molecular and Cellular Probes, vol. 10, pp. 257-271 (1996).	

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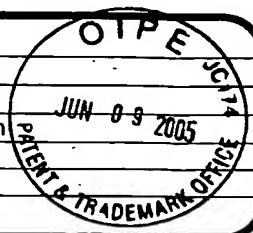
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Sheet	2	of	5	Attorney Docket Number	065691-0266



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	B10	CHU, B. C. F., et al., "Synthesis of an amplifiable reporter RNA for bioassays", Nucleic Acids Research, vol. 14, no. 14, pp. 5591-5603 (1986).	
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	B22	GAUB, M-P., et al., "Nuclear Detection of Cellular Retinoic Acid Binding Proteins I and II with New Antibodies", J. Histochem. & Cytochem., vol. 46, no. 10, pp. 1103-1111 (1998).	
	B23	GOETZ, J., et al., "Structure and Expression of the ATFα Gene", J. Biol. Chem., vol. 271, no. 47, pp. 29589-29598 (1996).	
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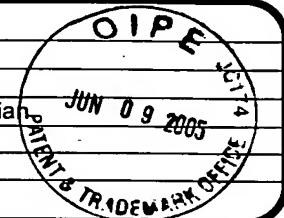
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/019,071
Date Submitted: June 9, 2005 <i>(use as many sheets as necessary)</i>				Filing Date	5/15/2002
				First Named Inventor	BRONNER, Christian
				Group Art Unit	1642
				Examiner Name	Minh-Tam DAVIS
Sheet	3	of	5	Attorney Docket Number	065691-0266



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	B25	GRANDIEN, K., "Determination of transcription start sites in the human estrogen receptor gene and identification of novel, tissue-specific, estrogen receptor-mRNA isoform", Mole. & Cell. Endoc., vol. 116, pp. 207-212 (1996).	
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	B30	HADDAD, B. R., et al., "Identification of de novo chromosomal markers and derivatives by spectral karyotyping", Hum Genet, vol. 103, pp. 619-625 (1998).	
	B31	HECK, M. M. S., "Differential expression of DNA topoisomerases I and II during the eukaryotic cell cycle", Proc. Natl. Acad. Sci., vol. 85, pp. 1086-1090 (1988).	
	B32	HOCHHAUSER, D., et al., "Cloning and Characterization of the 5'-Flanking Region of the Human Topoisomerase II α Gene", J. Biol. Chem., vol. 267, no. 26, pp. 18961-18965 (1992).	
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	B34	HROMAS, R., et al., "Hematopoietic Transcriptional Regulation by the Myeloid Zinc Finger Gene, MZF-1", Molecular Aspects of Myeloid Stem Cell Development, pp. 159-164, Springer-Verlag (1996).	
	B35	INOUE, C., et al., "Isolation of a cDNA Encoding a Metal Response Element Binding Protein Using a Novel Expression Cloning Procedure: The One Hybrid System", DNA and Cell Biology, vol. 13, no. 7, pp. 731-742 (1994).	
	B36	ISAACS, R. J., et al., "Physiological regulation of eukaryotic topoisomerase II", Biochimica et Biophysica Acta, vol. 1400, pp. 121-137 (1998).	
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	B40	KESSLER, C., et al., Nonradioactive Labeling and Detection of Biomolecules: Overview of Amplification Systems", pp. 197-205, Springer-Verlag, Berlin (1992).	

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	B41	KIEVITS, T., et al., "NASBA™ isothermal enzymatic in vitro nucleic acid amplification optimized for the diagnosis of HIV-1 infection", J. Virol. Meth., vol. 35, no. 3, pp. 273-286 (1991).	
	B42	KÖHLER, G., et al., "Continuous cultures of fused cells secreting antibody of predefined specificity", Nature, vol. 256, no. 5517, pp. 495-497 (1975).	
	B43	KWOH, D. Y., et al., "Transcription-based amplification system and detection of amplified human immunodeficiency virus type 1 with a bead-based sandwich hybridization format", Proc. Natl. Acad. Sci., vol. 86, pp. 1173-1177 (1989).	
	B44	LANDEGREN, U., et al., "A Ligase-Mediated Gene Detection Technique", Science, vol. 241, pp. 1077-1080 (1988).	
	B45	LAVIE, J., et al., "Vascular Cell Adhesion Molecule-1 Gene Expression during Human Smooth Muscle Cell Differentiation Is Independent of NF-κB Activation", J. Biol. Chem., vol. 274, no. 4, pp. 2308-2314 (1999).	
	B46	LEE, J. Y., et al., "A Distinct Region of Chromosome 19p13.3 Associated with the Sporadic Form of Adenoma Malignum of the Uterine Cervix", Cancer Research, vol. 58, pp. 1140-1143 (1998).	
	B47	LIZARDI, P. M., et al., "Exponential Amplification of Recombinant-RNA Hybridization Probes", Biotech., vol. 6, pp. 1197-1202 (1998).	
	B48	LUCKOW, V. A., "Baculovirus systems for the expression of human gene products", Current Opinion in Biotechnology, vol. 4, pp. 564-572 (1993).	
	B49	MARTINEZ, R., et al., "Gene Structure, Promoter Activity, and Chromosomal Location of the DR-nm23 Gene, a Related Member of the nm23 Gene Family", Cancer Research, vol. 57, pp. 1180-1187 (1997).	
	B50	MATTHEWS, J. A., et al., "Analytical Strategies for the Use of DNA Probes", Anal. Biochem., vol. 169, pp. 1-25 (1988).	
	B51	MIELE, E. A., "Autocatalytic Replication of a Recombinant RNA", J. Mol. Biol., vol. 171, pp. 281-295 (1983).	
	B52	NAGASE, T., et al., "Promoter Region of the Human CRE-BP1 Gene Encoding the Transcriptional Regulator Binding to the Cyclic AMP Response Element", J. Biol. Chem., vol. 265, no. 28, pp. 17300-17306 (1990).	
	B53	NITISS, J. L., "Investigating the biological functions of DNA topoisomerases in eukaryotic cells", Biochimica et Biophysica Acta, vol. 1400, pp. 63-81 (1998).	
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	B58	POMMIER, Y., et al., "Cellular Determinants of Sensitivity and Resistance to DNA Topoisomerase Inhibitors", <i>Cancer Investigation</i> , vol. 12, no. 5, pp. 530-542 (1994).	
	B59	PONGLIKITMONGKOL, M., et al., "Genomic organization of the human oestrogen receptor gene", <i>EMBO Journal</i> , vol. 7, no. 11, pp. 3385-3388 (1988).	
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	B67	TANG, D., et al., "Genetic immunization is a simple method for eliciting an immune response", <i>Nature</i> , vol. 356, no. 6365, pp. 152-154 (1992).	
	B68	TANIWAKI, M., et al., "Non-Random Chromosomal Rearrangements and Their Implications in Clinical Features and Outcome of Multiple Myeloma and Plasma Cell Leukemia", <i>Leukemia and Lymphoma</i> , vol. 21, pp. 25-30 (1995).	
	B69	TSAI-PFLUGFELDER, M., et al., "Cloning and sequencing of cDNA encoding human DNA topoisomerase II and localization of the gene to chromosome region 17q21-22", <i>Proc. Natl. Acad. Sci.</i> , vol. 85, pp. 7177-7181 (1988).	
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	B71	WANG, J. C., "DNA TOPOISOMERASES", <i>Annu. Rev. Biochem.</i> , vol. 65, pp. 635-692 (1996).	
	B72	WANG, M. M., et al., "Molecular cloning of the olfactory neuronal transcription factor Olf-1 by genetic selection in yeast", <i>Nature</i> , vol. 364, no. 6433, pp. 121-126 (1993).	
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